

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE ORGANOGENESIS SECURITIES LITIGATION

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) No. 04-10027-JLT
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**DEFENDANT HERBERT M. STEIN'S MOTION TO DISMISS
THE CORRECTED CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b), defendant Herbert M. Stein respectfully requests that this Court dismiss all claims against him, with prejudice, in the Corrected Consolidated Amended Class Action Complaint for the above-captioned matter. Mr. Stein bases his request on the reasons set forth in his Memorandum in Support of this Motion, filed herewith.

Mr. Stein also requests a hearing for this motion, and submits that his oral argument will be brief, and is not expected to exceed ten minutes.

HERBERT M. STEIN,

By his attorneys,

/s/ Breton Leone-Quick

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Dated: January 14, 2005